

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL GARRISON,

Petitioner,

vs.

BARBARA SAMPSON,

Respondent.

Civil Action No. 08-CV-10722

HON. BERNARD A. FRIEDMAN

**ORDER ACCEPTING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This matter is presently before the court on respondent's answer to petitioner's application for a writ of habeas corpus. Respondent requests that the court dismiss the matter for lack of jurisdiction. Magistrate Judge Paul J. Komives has submitted a Report and Recommendation ("R&R") in which he recommends that the court dismiss the petition on this basis and, further, that the court decline to issue a certificate of appealability. Neither party has objected to the R&R, and the time for doing so has expired.

Having reviewed the petition, the answer, and the R&R, the court is persuaded that the magistrate judge has correctly analyzed all of the issues and that his recommendation is sound. Accordingly,

IT IS ORDERED that Magistrate Judge Komives' R&R is hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that the petition in this matter is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that no certificate of appealability shall issue.

s/Bernard A. Friedman_____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

Dated: June 17, 2010
Detroit, Michigan

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

S/Carol Mullins
Case Manager to Judge Friedman